IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WA.No. 472 of 1998()

AGAINST THE JUDGEMENT IN OP.12777/1996 Dated 11/06/1997
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APPELLANTS/RESPONDENTS:
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1. THE STATE OF KERALA REPRESENTED BY ITS CHIEF SECRETARY TO GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE EXCISE COMMISSIONER, BOARD OF REVENUE (EXCISE) THIRUVANANTHAPURAM.

3. THE ASSISTANT EXCISE COMMISSIONER, THIRUVANANTHAPURAM.

BY SR. GOVERNMENT PLEADER SHRI M.R. SABU.

RESPONDENT/PETITIONER IN THE O.P:

V. SIVA RAJENDRAN, ARUN GARDENS,
VELLUMKETTUVILA,
NEMOM P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.A.N.RAJAN BABU
DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV
SMT.C.V.RAJALAKSHMI

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 472 OF 1998
and
C.M.P. NO. 472 OF 1998

Dated this the 15th June, 2007

JUDGMENT

H.L.DATTU, C.J.

The delay in filing the appeal is condoned.

2. State has filed this appeal against the orders passed by the learned single Judge in O.P.No.12777 of 1996 dated 11.6.1997.

3. Learned counsel appearing for the State very fairly stated that being aggrieved by the similar orders and directions issued by this Court, the abkari contractors had filed Special Leave Petitions before the Apex Court in Civil Appeal No.6349 of 1999 and connected matters and those appeals are rejected.

4. Taking note of the submission made by the learned counsel for the State, in our opinion, this writ appeal requires to be rejected and accordingly it is rejected.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/